REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 27-32, 35, 36 and 38-46; Applicant respectfully submits no new matter has been added. Antecedent support for the number of protocol adapters, each one communicating with a specific protocol technology, is found in paragraph 84 of the subject application as published by the USPTO. Antecedent support for the Network Element registering itself and establishing specific protocol technology, is found in paragraph 85 of the subject application Accordingly, claims 27-32, 35, 36 and 38-46 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections - Claims

Claims 27-32, 35, 36 and 38-46 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 101

Claims 27-30, 40-44, and 46 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Independent claims 27, 29 and 40 now have the limitation that communication occurs over a "communication network". It is respectfully submitted that this hardware limitation, the claims cannot be construed to be a system of software.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 27-32, 35, 36 and 38-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilson (US 2002/0029298) in view of Applicant's Admitted Prior Art (5/31/08 Applicant's arguments) hereinafter AAPA.

Claim 27, as amended, has the limitation that the SuM - GI Manager sends provisioning orders to create and manage subscriptions to services in the network element through the one protocol adapter, and for the network element to register itself at the SuM - GI Manager and to establish a specific protocol technology used at the network element. These limitations regarding creation and registration are not taught or suggested by Wilson. It is with the presence of the protocol adapter of the plurality of protocol adapters for communicating with a specific protocol technology used at the network element, and the network element having to register itself and establish a specific protocol technology used at the network element, which allows the claimed invention to essentially without knowledge of the characteristics of the network element, establish subscriptions, and supposedly manage them. This is consistent with one of the aspects of applicants claimed invention, which is to provide a solution for service provisioning that is generic and fits any domain. It is through the use of a plurality of protocol adapters that Network Elements having different protocol technologies can be serviced. Wilson is completely silent in regard to these limitations.

In the Office Action, the Examiner seems to cite paragraph 61, lines 3 - 7 of Wilson for teaching at least one protocol adapter for communicating with a specific protocol technology used at the network element. Referring to paragraph 61 of Wilson, it simply states that the manager establishes an association which can be seen as a communication link, to the agent of the managed system and when this association is set up, the manager and the agent can communicate. Wilson does not teach or suggest in paragraph 61, or anywhere, the limitation of "a plurality of protocol adapters, each protocol adapter for communicating with a specific protocol technology, at least one protocol adapter for communicating with a specific protocol technology used at the network element", as found in amended claim 27. Furthermore, Wilson teaches the managing system 1A only has a single manager 2A.

Claims 28, 40, 41 and 42 depend from amended claim 27 and recite further limitations in combination with the novel elements of claim 27. Therefore, the allowance of claims 28, 40, 41 and 42 is respectfully requested.

Claim 29 is patentable for the reasons claim 27 is patentable. Claims 30, 43 and 44 depend from amended claim 29 and recite further limitations in combination with the novel elements of claim 29. Therefore, the allowance of claims 30, 43 and 44 is respectfully requested.

Claim 31 is patentable for the reasons claim 27 is patentable. Claims 32, 35, 36-39 and 45 depend from amended claim 31 and recite further limitations in combination with the novel elements of claim 31. Therefore, the allowance of claims 32, 35, 36-39 and 45 is respectfully requested.

In regard to claim 40, and for that matter all the claims, the Examiner cites Applicant's own statement as prior art based on a paragraph on page 13 in the Applicant's Arguments of 5/31/08 (page 4 of the Examiner's communication): *"As indicated above, the Applicant respectfully submits that the claimed object classes are defined object classes well known to one skilled in the art."* in the context of a previous paragraph on page 11 in the Applicant's Arguments of 5/31/08: *"The Applicant, in the Response to Final dated March 28, 2008, pointed out that the claimed object classes are defined object classes well known to one skilled in the art. The Examiner indicated that it would have been obvious for one skilled in the art to implement the same objects and cites the 36PP TS 3.172 specification as support. The Applicant claims priority to the filing date of the EP application, which is July 18, 2002. The draft of the 3GPP TS 32.172 V0.1.0 specification is dated July, 2003. So, the Applicant description and name of the defined object classes were claimed <u>a year before</u> the cited art."*.

Applicant respectfully submits and emphasizes that the claimed Object Classes were not known to the public at the time of publishing the 3GPP TS 32.172 V0.1.0

specification dated July, 2003; whereas said Object Classes had been filed in the priority application of July 18, 2002, of the subject application.

Accordingly, independent claims 27, 29, 31 and 40 are not obvious by combination of Wilson with any common knowledge at the priority date of the subject.
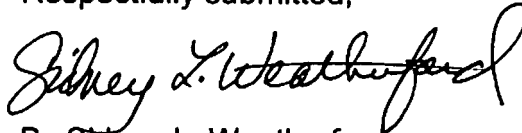
Claim 46 depends from claim 40 and recites further limitations in combination with the novel elements of claim 40. Therefore, the allowance of claim 40 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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